

VIA ECF
July 27, 2023
Honorable Christine P. O'Hearn, U.S.D.J.
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets, Courtroom 5A
Camden, NJ 08101

Re: Brian McBride, et al. v. NJ Pen Civil Action No. 1:23-cv-02044-CPO-AMD

Your Honor:

The Plaintiffs, appearing *pro se*, are in receipt of Your Honor's text order dated July 24, 2023 which sets an in-person settlement conference for August 4, 2023 at 11:00 AM in Camden.

The Plaintiffs write herein to request a virtual settlement conference for exigent circumstances beyond our control.

The Plaintiffs' daughter, previously referenced in the moving papers, was enrolled in a Montessori Academy. Such enrollment would have ordinarily permitted the Plaintiffs to comply with Your Honor's order to appear in-person on August 4, 2023.

On July 13, 2023, the Plaintiffs' daughter was immediately removed from this school following complaints by other parents that the day care was *physically* abusing children. Those complaints were *substantiated* by the New Jersey Department of Children and Families. We, the Plaintiffs, take our child's physical and emotional safety very seriously. In fact, our daughter's emotional well-being is the very reason we initiated this case before the Court.

Plaintiffs have made our settlement demand to the Defendant abundantly clear. The Court, on the record, stated it found Plaintiffs' proposal reasonable. Accordingly, we had every expectation that Defendant's counsel would have produced a draft release agreement that would grant a full release in exchange for Defendant's removal of the content at issue from NJPen.com and any third party social media networks controlled by the Defendant entity or its principal, Matthew Skoufalos.

Plaintiffs again restate our request to have Defendant produce a copy of its proposed settlement agreement for our review *in advance* of a virtual settlement conference.

Very truly yours,

Brian McBride
Plaintiff